

ARTICLE 1731

Inspections

- 1731.01 Inspections Required.
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- 1731.03 Registration.
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1731.01 INSPECTIONS REQUIRED.

- (a) All properties being offered for sale shall be inspected under Article 119 titled Registration, Sale and Transfer of Real Estate and be subject to Section 119.07 titled Rules and Regulations where applicable. In addition, all properties being offered for sale shall be subject to Section 119.04(b), titled Duties of Title Holder and Seller, including the requirement that every seller or his agent to, within a reasonable time of offering for sale or listing for sale, but no later than ten (10) business days from the date on which the building or structure is offered or listed for sale, contact the Housing Inspections Officer for the City of Bethlehem to schedule an inspection of the building or structure.
- (b) Every dwelling, commercial unit and structure that is a rental, shall be inspected for purposes of ascertaining compliance with City codes, each time the unit becomes vacant.
- (c) All fraternities and sororities must be inspected annually.

Possession by the owner of a renewed certificate of occupancy is required to maintain occupancy and use of a dwelling unit.

The Department of Community and Economic Development shall establish rules and regulations to implement this requirement and violations of such rules and regulations shall be deemed a violation of this ordinance. The rules and regulations shall be as follows:

- a) Where such properties are intended to be demolished and a valid demolition permit conforming to the Building Code of the City of Bethlehem has been obtained, the provisions set forth in this Article shall not be applicable.
- b) When such properties are being refinanced by the current owner, the certificate set forth in this Article shall not be required.
- c) "Agreement of Sale" means any agreement or written statement which provides the title to any property shall therefore be transferred from one owner to another owner. Additionally, written leases which provide that the lessee of the property acquire title after a predetermined number of payments or a predetermined period of time, the Certificate set forth in this Article shall be required.
- d) The Certificate of Occupancy report shall be valid for one (1) year from the date of the original inspection or until such time as the property has become vacant, in the case of a rental dwelling, whichever time period is greater.
- e) Where the inspection is incident to the property being sold or leased, the Department of Community and Economic Development will not be responsible for violations that occur between the inspection and settlement date and/or rental period.
- f) Transfer of ownership - Prior to transfer of ownership, the current owner of any dwelling unit or structure shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed statement from the grantee, transferee, mortgagee or lessee acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation. All violations shall be abated within 90 days of transfer. If said property is occupied as a rental property, violations must be abated within 30 days. The only exception to the time limits would be if special arrangements are agreed upon with the code official.

Failure and/or refusal by the owner or his/her designated agent to secure the necessary certificate of occupancy, or failure and/or refusal to provide access for inspection upon reasonable notice, and/or any other violation of Article 1731 shall also be deemed a violation of this Ordinance.

(Ord. 2010-29 - Passed 12/21/10)

1731.02 FEES.

Fees for inspections shall be assessed against property owners and shall be determined as follows:

- (a) Inspections made pursuant to the requirements of Article 119 to be paid by the owner:
 - \$150.00 per dwelling unit
 - \$200.00 per commercial unit
- (b) Inspections of rental properties under 1731.01(b) above:
 - \$ 100.00 per dwelling unit
- (c) Reinspections to verify correction of violations, second or additional reinspections:
 - \$ 75.00 per second reinspection;
 - \$100.00 per third reinspection;
 - \$125.00 additional reinspections.
- (d) For each commercial rental property containing 2,000 sq. ft. or less of floor area, the fee shall be \$200.00. For commercial rental property containing more than 2,000 sq. ft. the fee shall be \$200.00 plus \$100.00 for every additional 2,000 sq. ft. The owner/operator of a commercial rental property must acquire a certificate of occupancy each time that rental property space is vacant.
- (e) Fraternities and sororities shall be \$150.00 plus \$10.00 for each bedroom.
- (f) The City may double the inspection fee for anyone selling or renting a dwelling without obtaining an inspection for a certificate of occupancy.

All inspection fees shall be paid prior to the inspection regardless of the number of units. Failure to pay inspection fees shall be deemed a failure and/or refusal to comply with the

provisions contained herein, and will be subject to the penalty contained in 1731.99. (Ord. 3646 - Passed 11/1/94; Ord. 4236 - Passed 12/16/03; Ord. 4341 - Passed 9/20/05; Ord. 2010-29 - Passed 12/21/10; Ord. 2014-48-Passed 12/16/14.)

1731.03 REGISTRATION.

(a) All property owners who have housing rental units in the City of Bethlehem shall be required to have the units registered with the Bureau of Inspections of the Department of Community and Economic Development.

(b) The registration form shall list the name, address and telephone number of the property owner, the location of the rental property, and the number of units that are provided.

(c) Failure to register the units with the Bureau of Inspections within ninety days from the date of the passage of the Ordinance or within thirty days following the purchase or conversion of a structure to a rental property shall constitute a violation of this ordinance. (Ord. 3546. Passed 4/20/93.)

1731.99 PENALTY.

Any person, firm or corporation which violates the provisions of this Article shall be subject to the following penalties:

(a) A fine not exceeding one thousand dollars (\$1,000.00) or a term of imprisonment not exceeding ninety days or both.

(Ord. 3290-Passed 10/17/89; Ord. 2014-48-Passed 12/16/14.)